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7 Attorneys for Defendant  
8 Unifund CCR Partners, LLC.  
9 and Kim Kenney

10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF WASHINGTON AT SPOKANE  
12

13 EMERSON WEBB; and all others similarly )  
14 situated, )

15 Plaintiff, )

16 v. )

17 UNIFUND CCR Partners, *et al.* )

18 Defendants. )  
19  
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**Case No. 2:09-cv-00081-LRS**

DEFENDANTS' UNFUND  
CCR PARTNERS' AND KIM  
KENNEY'S MOTION TO  
DISMISS PURSUANT TO  
FEDERAL RULE OF CIVIL  
PROCEDURE 12(b)(6)

21  
22 Pursuant to F.R.Civ.P. 12(b)(6), Defendants Unifund CCR Partners ("Unifund")  
23 and Kim Kenney ("Kenney") move this Court for an order dismissing all claims for  
24 relief asserted against them by Plaintiff Emerson Webb. As more fully set forth in the  
25 accompanying Memorandum of Points and Authorities, viewing Plaintiff's allegations  
26

1 in the most favorable light, Plaintiff failed to state a claim upon which relief may be  
2 granted. In addition, Plaintiff's state law claims are barred by the doctrine of res  
3 judicata. Accordingly, Plaintiff's claims against Unifund and Kenney should be  
4 dismissed in their entirety.  
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6 DATED this 2 day of June, 2009.

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